UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/348,652	07/06/1999	JAMEY GRAHAM	15358-005500	5555

7590 10/07/2004

PAUL A DURDIK
TOWNSEND AND TOWNSEND AND CREW LLP
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO, CA 941113834

EXAMINER	
PAULA, CESAR B	
ART UNIT	**PAPER NUMBER**
2178	

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/348,652	GRAHAM, JAMEY	
	Examiner	Art Unit	
	CESAR B PAULA	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 June 2004* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7,8,10-15,17,18,20-25,27,28 and 30-37* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5, 7-8, 10-15, 17-18, 20-25, 27-28, and 30-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This action is responsive to the amendment filed on 6/28/2004.

This action is made Final.

2. In the amendment, claim 36 has been added. Claims 1-5, 7-8, 10-15, 17-18, 20-25, 27-28, and 30-37 are pending in the case. Claims 1, 10-11, 20-21, 30, and 37 are independent claims.

Drawings

3. The Applicant has indicated that a submission of a petition for colored photographs has been deferred until allowable subject matter is indicated (page 12, lines 14-15).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 37 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 37 recites the limitation "the combination of the first concept..." in line 10. There is insufficient antecedent basis for this limitation in the claim. There is no previous "combination of the first concept" to refer to in this claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claim 37 is rejected under 35 U.S.C. 102(e) as being anticipated by Aalbersberg (Pat.# 5,946,678, 8/31/99, filed 1/11/95, as disclosed in IDS paper 3).

Regarding independent claim 37, Aalbersberg discloses a window for receiving query words–"car, sales, Europe"-- indicating user's concepts of interest input (c. 2, L. 1-58, and fig. 2).

Furthermore, Aalbersberg discloses that in response to the selection of a view button, a document is retrieved and *analyzed* for the corresponding query words—*occurrences of discussion of the first and second concept*-- present in the document. Each query word, such as car, sales, and Europe, is retrieved, and displayed using the color scheme, where by looking at the document, one can see where each of the concept of interest is found, and which location has

more or less of a concept of interest—*single contour showing a relative strength of the combination of the first concept of interest and the second concept of interest* (col. 6, L. 1-67, and fig. 5).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 1-5, 7-8, 11-15, 17-18, 21-25, 27-28, 31, and 33 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Ball et al "Software Visualization in the Large", IEEE Computer, vol.29, No.4, pp. 33-43 (4/1996, as disclosed in IDS paper 2), in view of Wroblewski et al, hereinafter, Wroblewski (Pat.# 5,479,600, 12/26/1995, as disclosed in IDS paper 3).

Regarding independent claim 1, Ball discloses the color-coding of a document based on a concept of interest—"code age"-- input by a user. Color-coding takes place by analyzing the document and color-coding or identifying locations or *occurrences* of interest in the document as per the concept of interest indicated by the user-- (page 4, 2.1, and fig. 1).

Furthermore, Ball discloses a right pane—*visual indicator*-- for indicating the display of a concentration of the analyzed new, and old code by their respective color-coding. A user can

look at the right pane thumbnail and view the concentration of the old and new code throughout the document, based on the different color of the code -- (page 4, 2.1, and fig. 1). Ball fails to explicitly disclose *a visual indicator showing relative strength of the user-specified concept of interest at locations within the electronically stored document, such that, for a location within the electronically stored document, the visual indicator displays the strength of the user-specified concept of interest at that location relative to other locations in the electronically stored document, wherein the visual indicator comprises a first axis representing locations within the electronically stored document and a second axis representing relative strength of a user specified concept of interest.* However, Wroblewski teaches the display of a graphical frame-- *visual indicator*—which displays a section or location of words or *concept of interest* — "taxonomy"--in a vertical scroll bar-- *a first axis*—using horizontal marks or indicia, within a document. The frame also contains a horizontal scroll bar-- *a second axis*—for showing the distribution or relative strength of concentration of the words in the document using vertical marks or indicia. The scrollbars display the distribution or strength of a concept of interest at one location in the document versus other locations. For example in fig. 2, we can observe that there are three indicia 18, within vertical scroll bar 16. The horizontal scrollbar shows the distribution of a concept of interest, such as "taxonomy", relative to each of the three locations of indicia 18. Therefore, we see, the variation of the strength—*relative strength*-- of the concept of interest represented by indicia 18, by looking at the horizontal scroll bar, where we find that the first two indicia 18 locations (vertical scroll bar) are much closer together along the horizontal axis, than the third indicium 18, which more spread apart, along the horizontal axis than the first two indicia (fig.1-3, col.1, lines 44-67, and col.3, lines 27-67). Therefore, it would have been

obvious to one of ordinary skill in the art at the time of the invention to combine Ball, and Wroblewski, because Wroblewski teaches the benefit of determining the distribution of significant attributes of the data file presently being displayed in a display field of the screen (col. 1, lines 56-67). This would enable a user to be able to easily navigate a file by quickly locating desired words in a document by spotting the places where the words are located and distributed by looking at the scrollbars.

Regarding claim 2, which depends on claim 1, Ball discloses a right pane—*visual indicator*-- for indicating the display of a line representation where a document contour showing undulating lines of code—*contour graph image*—showing the relative strength of the concept of interest--analyzed new, and old code-- by highlighting each line in the representation graph with their respective color-coding -- (page 4, 2.1, and fig. 1).

Regarding claim 3, which depends on claim 1, Ball discloses a right pane—*visual indicator*-- for indicating the display of a line representation *or line graph* showing the relative strength of the concept of interest--analyzed new, and old code-- by highlighting each line in the representation graph with their respective color-coding -- (page 4, 2.1, and fig. 1).

Regarding claim 4, which depends on claim 1, Ball discloses a right pane—*visual indicator*-- for indicating the display of two bars—*bar graph*-- containing color-coded rows of pixels showing the relative strength of the concept of interest--analyzed new, and old code-- by

highlighting each row in the bar graph with their respective color-coding -- (page 4, 2.1, and fig. 1).

Regarding claim 5, which depends on claim 1, Ball discloses a right pane—*visual indicator*-- for indicating the display containing color-coded lines scattered—*scatter diagram*-- throughout a visual representation of a document showing the relative strength of the concept of interest--analyzed new, and old code-- by highlighting each row in the bar graph with their respective color-coding -- (page 4, 2.1, and fig. 1).

Regarding claim 7, which depends on claim 31, Ball discloses a red box for showing the same portion of the document in three different scaled panes -- (page 4, lines 19-20, and fig. 1). Ball fails to explicitly teach *accepting user input moving said slider to a second section of said visual indicator and responsive to movement of said slider to said second section of said visual indicator, displaying a section of said electronically stored document corresponding to said second section of said visual indicator* . However, Wroblewski teaches the display of a graphical frame-- *visual indicator*—which displays the locations vertical, and horizontal scroll bars, which contain cars that enable a user to display of corresponding portions of a document in a screen. The cars are moved up and down within their respective scroll bars-- *movement of said slider to said second section*-- to a second location for displaying a corresponding section in the document (fig.2, col.1, lines 30-41, col.3, lines 28-41). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ball, and Wroblewski, because Wroblewski teaches the benefit of determining the distribution of significant attributes in a data

file (col. 1, lines 56-67). This would enable a user to be able to quickly locate desired words in a document by spotting the places where the words are located or distributed using the scroll bars or axes.

Regarding claim 8, which depends on claim 1, Ball discloses the display of an elongated thumbnail version of a document with portions color-coded—*annotated*-- to identify a user's concept of interest –*occurrences discussion* (page 4, 2.1, and fig. 1).

Claims 11-15, 17-18, 33 are directed towards a computer program product on a computer-readable medium for storing the steps found in claims 1-5, 7-8, and 31 respectively, and therefore are similarly rejected.

Claims 21-25, 27-28 are directed towards a computer system for implementing the steps found in claims 1-5, and 7-8, therefore are similarly rejected.

Regarding claim 31, which depends on claim 1, Ball discloses the display of a red box for showing the same portion of the document in three different scaled panes -- (page 4, lines 19-20 and fig. 1). Ball fails to explicitly teach *displaying a slider on said visual indicator, said slider highlighting a section of said visual indicator corresponding to said section of said electronic document displayed on said display* . However, Wroblewski teaches the display of a graphical frame-- *visual indicator*—which displays the locations vertical, and horizontal scroll bars, which contain cars that enable a user to display of corresponding portions of a document in a screen. The cars are moved up and down within their respective scroll bars to by covering or

highlighting the position of the scrollbars to where the cars were moved to (fig.2, col.1, lines 30-41, col.3, lines 28-41). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ball, and Wroblewski, because Wroblewski teaches the benefit of determining the distribution of significant attributes in a data file (col. 1, lines 56-col..2, line 5). This would enable a user to be able to quickly locate desired words in a document by spotting the places where the words are located or distributed using the scroll bars or axes.

Claim 35 is directed towards a computer system for implementing the steps found in claim 31, and therefore are similarly rejected.

11. Claims 10, 20, 30, 32, 34 and 36 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Aalbersberg, in view of Wroblewski.

Regarding independent claim 10, Aalbersberg discloses a window for receiving query words–"car, sales, Europe"-- indicating user's concepts of interest input (c. 2, L. 1-58, and fig. 2).

Furthermore, Aalbersberg discloses the display of a results window having a list of indicators—*selectable concept indicators*-- presenting the relevance of the query words or concepts of interest using color scheme. The indicators also have a view button, which allows a user to select the corresponding indicator to view the full text of the document containing the query words. In response to the selection of the view button, the document is retrieved and analyzed for the corresponding query words—*occurrences*-- present in the document. Each query word is retrieved, and displayed using the color scheme (col. 6, L. 1-39, and fig. 4-5).

Aalsbersberg fails to explicitly disclose *a visual indicator showing concentrations of the first-user specified concept in said electronically stored document, wherein the visual indicator comprises a first axis representing locations within the electronically stored document and a second axis representing concentrations of a user specified concept of interest.* However, Wroblewski teaches the display of a graphical frame-- *visual indicator*—which displays a section or location of words or *concept of interest* —"taxonomy"--in a vertical scroll bar-- *a first axis*—using horizontal marks or indicia, within a document. The frame also contains a horizontal scroll bar-- *a second axis*—for showing the distribution or relative strength of concentration of the words in the document using vertical marks or indicia. The scrollbars display the distribution or strength of a concept of interest at one location in the document versus other locations. For example in fig. 2, we can observe that there are three indicia 18, within vertical scroll bar 16. The horizontal scrollbar shows the distribution of a concept of interest, such as "taxonomy", relative to each of the three locations of indicia 18. Therefore, we see, the variation of the strength—*relative strength*-- of the concept of interest represented by indicia 18, by looking at the horizontal scroll bar, where we find that the first two indicia 18 locations (vertical scroll bar) are much closer together along the horizontal axis, than the third indicium 18, which more spread apart, along the horizontal axis than the first two indicia (fig.1-3, col.1, lines 44-67, and col.3, lines 27-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ball, and Wroblewski, because Wroblewski teaches the benefit of determining the distribution of significant attributes of the data file presently being displayed in a display field of the screen (col. 1, lines 56-67). This would enable a user to be able to easily

navigate a file by quickly locating desired words in a document by spotting the places where the words are located and distributed by looking at the scrollbars.

Claim 20 is directed towards a computer program product on a computer-readable medium for storing the steps found in claim 10, and therefore is similarly rejected.

Claim 30 is directed towards a computer system for implementing the steps found in claim 10, and therefore is similarly rejected.

Regarding claim 32, which depends on claim 10, Aalbersberg discloses the display of a results window having a list of indicators—*selectable concept indicators*-- presenting the relevance of the query words or concepts of interest using color scheme to indicate which concept or query words are present in the document. The indicators also have a view button, which allows a user to select the corresponding indicator—first, second, third indicator, etc., to view the full text of the document containing concentration of the location of the query words or *concept of interest*. In response to the selection of the view button, the document is retrieved and analyzed for the corresponding query words present in the document. Each query word is retrieved, and displayed using the color scheme (col. 6, L. 1-39, and fig. 4-5). Aalsbersberg fails to explicitly disclose *displaying in the visual indicator showing concentrations of the second user-specified concept of interest.* However, Wroblewski teaches the display of a graphical frame-- *visual indicator*—which displays a section or location of words or *concept of interest* — "taxonomy"--in a vertical scroll bar-- *a first axis*—using horizontal marks or indicia, within a

document. The frame also contains a horizontal scroll bar-- *a second axis*—for showing the distribution or relative strength of concentration of the words in the document using vertical marks or indicia. The scrollbars display the distribution or strength of a concept of interest at one location in the document versus other locations. For example in fig. 2, we can observe that there are three indicia 18, within vertical scroll bar 16. The horizontal scrollbar shows the distribution of a concept of interest, such as "taxonomy", relative to each of the three locations of indicia 18. Therefore, we see, the variation of the strength—*relative strength*-- of the concept of interest represented by indicia 18, by looking at the horizontal scroll bar, where we find that the first two indicia 18 locations (vertical scroll bar) are much closer together along the horizontal axis, than the third indicium 18, which more spread apart, along the horizontal axis than the first two indicia (fig.1-3, col.1, lines 44-67, and col.3, lines 27-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ball, and Wroblewski, because Wroblewski teaches the benefit of determining the distribution of significant attributes of the data file presently being displayed in a display field of the screen (col. 1, lines 56-67). This would enable a user to be able to easily navigate a file by quickly locating desired words in a document by spotting the places where the words are located and distributed by looking at the scrollbars.

Claim 34 is directed towards a computer program product on a computer-readable medium for storing the steps found in claim 32, and therefore is similarly rejected.

Claim 36 is directed towards a computer system for implementing the steps found in claim 32, and therefore is similarly rejected.

Response to Arguments

12. Applicant's arguments filed on 6/28/2004 have been fully considered but they are not persuasive.

Regarding claim 1, the applicant indicates that Ball does not teach the newly added limitation of showing relative strength of concept of interest at various locations (page 13, line 27-page 14, line 13). The examiner disagrees, because although Ball does not teach the "relative strength", Wroblewski teaches the display of a graphical frame-- *visual indicator*—which displays a section or location of words or *concept of interest* —"taxonomy"--in a vertical scroll bar-- *a first axis*—using horizontal marks or indicia, within a document. The frame also contains a horizontal scroll bar-- *a second axis*—for showing the distribution or relative strength of concentration of the words in the document using vertical marks or indicia. The scrollbars display the distribution or strength of a concept of interest at one location in the document versus other locations. For example in fig. 2, we can observe that there are three indicia 18, within vertical scroll bar 16. The horizontal scrollbar shows the distribution of a concept of interest, such as "taxonomy", relative to each of the three locations of indicia 18. Therefore, we see, the variation of the strength—*relative strength*-- of the concept of interest represented by indicia 18, by looking at the horizontal scroll bar, where we find that the first two indicia 18 locations

(vertical scroll bar) are much closer together along the horizontal axis, than the third indicium 18, which more spread apart, along the horizontal axis than the first two indicia (fig.1-3, col.1, lines 44-67, and col.3, lines 27-67). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Ball, and Wroblewski, because Wroblewski teaches the benefit of determining the distribution of significant attributes of the data file presently being displayed in a display field of the screen (col. 1, lines 56-67). This would enable a user to be able to easily navigate a file by quickly locating desired words in a document by spotting the places where the words are located and distributed by looking at the scrollbars.

Moreover, the applicant notes that Wroblewski fails to cure the deficiencies of the Ball reference, and fails to teach or suggest displaying the relative strength of a concept using a visual indicator (page 14, lines 18-21, page 15, lines 1-19). As indicated above, Wroblewski teaches this limitation. The scrollbars taught by Wroblewski are included within a window frame-- *visual indicator*--. The horizontal scrollbar shows the relative strength of concepts of interest, such as "taxonomy", in a document, by showing the distribution of this concept in the document (in the horizontal direction), relative to different locations shown by the vertical scrollbar (fig.2-3). For instance, the user how close or spread apart the concepts of interest are, by just looking at the horizontal scrollbar, which shows the concentration of color markings or indicia, which represent such concepts. This facilitates navigation of the document by simply looking at the scrollbars, instead of time-consuming task of looking all over the document for these concepts.

Moreover, the applicant notes that Wroblewski fails to cure the deficiencies of the Ball reference, and that there is no motivation to combine these references (page 15, lines 20-28). The examiner disagrees, because Wroblewski teaches this limitation. The scrollbars taught by Wroblewski are included within a window frame-- *visual indicator*--(fig.1-3, col.1, lines 44-67, and col.3, lines 27-67). The horizontal scrollbar shows the relative strength of concepts of interest, such as "taxonomy", in a document, by showing the distribution of this concept—*relative strength*-- in the document (in the horizontal direction), relative to different locations shown by the vertical scrollbar (fig.2-3). For instance, the user how close or spread apart the concepts of interest are, by just looking at the horizontal scrollbar, which shows the concentration of color markings or indicia, which represent such concepts with respect to the same concept located in the vertical scrollbar. This facilitates navigation of the document by simply looking at the scrollbars, instead of time-consuming task of looking all over the document for these concepts.

Claims 2-5, 7-8, 10-15, 17, 18, 20-25, 17-18, and 30-36 are rejected at least based on the rationale established above.

The applicant submits that the references do not teach a contour graph image, a line graph, a bar graph, and a scatter diagram (page 16, lines 14-24). The examiner disagrees, because regarding claim 2, Ball discloses a right pane—*visual indicator*-- for indicating the display of a line representation where a document contour showing undulating lines of code—*contour graph image*—showing the relative strength of the concept of interest--analyzed new, and old code-- by

highlighting each line in the representation graph with their respective color-coding -- (page 4, 2.1, and fig. 1).

Regarding claims 3, 13, and 23, Ball discloses a right pane—*visual indicator*-- for indicating the display of a line representation *or line graph* showing the relative strength of the concept of interest--analyzed new, and old code-- by highlighting each line in the representation graph with their respective color-coding -- (page 4, 2.1, and fig. 1).

Regarding claims 4, 14, and 24, Ball discloses a right pane—*visual indicator*-- for indicating the display of two bars—*bar graph*-- containing color-coded rows of pixels showing the relative strength of the concept of interest--analyzed new, and old code-- by highlighting each row in the bar graph with their respective color-coding -- (page 4, 2.1, and fig. 1).

Regarding claim 5, 15, and 25, Ball discloses a right pane—*visual indicator*-- for indicating the display containing color-coded lines scattered—*scatter diagram*-- throughout a visual representation of a document showing the relative strength of the concept of interest--analyzed new, and old code-- by highlighting each row in the bar graph with their respective color-coding -- (page 4, 2.1, and fig. 1).

Applicants indicate that newly added claim 37 is in condition for allowance. The rejection of this claim has been included above in view of Aalbersberg.

Conclusion

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

I. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cesar B. Paula whose telephone number is **(703) 306-5543 ((571) 272-2148 as of 10/12/04)**. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m. (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong, can be reached on (703) 308-5465 ((571) 272-4124 as of 10/12/04). However, in such a case, please allow at least one business day.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this Action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Or faxed to:

- **(703) 703-872-9306,** (for **all** Formal communications intended for entry)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

CESAR B PAULA
Patent Examiner
Art Unit 2178

10/4/04